

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
                                )  
                                )  
Plaintiff,                 )  
                                )  
v.                            ) 4:18-CR-155 AGF (NCC)  
                                )  
                                )  
HARLEY POSPISIL,           )  
                                )  
                                )  
Defendant.                 )

**MOTION TO RECONSIDER DETENTION ORDER**

Comes now Joseph M. Hogan, attorney for defendant, Harley Pospisil and requests this Honorable Court reconsider its motion to detain the defendant. In support of said request the defendant states as follows:

On September 21, 2018, United States Magistrate Judge, Nannette A. Baker issued an order to detain the defendant pending trial. This order was the result of the defendant's previous attorney, Felicia Jones, filing of a Motion to Surrender and be Removed from Bond on September 19, 2018. The defendant had previously been given a bond review hearing on August 15, 2018, where he was reminded to abide by the conditions of his bond. Specifically, he was told to attend and participate in recommended counseling.

The defendant did not believe and continues to not believe that the Court should order him to participate in counseling, as a condition of bond, when he is presumed innocent of all charges. The defendant had expressed this opinion to his previous attorney, Felicia Jones, and requested she file a motion with the court, asking to modify conditions of his bond by eliminating the counseling requirement. The defendant mistakenly believed that Ms. Jones had filed his requested motion and that he was no longer required to attend counseling sessions as a condition of his bond.

The defendant had previously attended every required court date and meeting with his pretrial services officer and did not engage in any criminal activity while on bond.

WHEREFORE, the defendant requests this Honorable Court reconsider its order to detain and release the defendant on bond.

Respectfully submitted,

/S/ Joseph M. Hogan  
Joseph M. Hogan, 47008MO  
Attorney for Defendant  
7751 Carondelet, Ste. 700  
Clayton, Missouri 63105  
(314) 863-9898

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was electronically delivered to:

United States Attorney's Office  
111 South 10<sup>th</sup> Street  
St. Louis, Missouri 63102

This 7<sup>th</sup> day of August, 2019

/S/ Joseph M. Hogan 47008MO